

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application

Inventors: Terwilliger and Lamoureux
Appln. No.: 10/716,333
Confirm. No.: 5218
Filed: November 18, 2003
Title: IMPROVED DELIVERY FOR
INTERSTITIAL RADIOTHERAPY USING
HOLLOW SEEDS

PATENT APPLICATION

Art Unit: 3735
Examiner: John P. Lacyk
Atty. Docket No.: WORLD-01004US3

Customer No. 23910

INFORMATION DISCLOSURE STATEMENT UNDER 37 C.F.R. §1.56

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

It is requested that the information identified in this statement be considered by the Examiner and made of record in the above-identified application. This statement is not intended to represent that a search has been made, that the material is considered prior art, or that the information cited in the statement is, or is considered to be, material to patentability as defined in 37 C.F.R. §1.56. If this is a continuation, divisional or continuation-in-part application, it is understood that the Examiner will consider all information which was considered by the Office in a parent application. MPEP §609. Such information therefore is not listed herein unless it is desired that the information be printed on a patent issuing from the subject application.

Enclosed with this statement are the following:

- Form PTO-1449. The Examiner is requested to initial the form and return it to the undersigned in accordance with M.P.E.P. §609.
- The present application is being/was filed after June 30, 2003. In accordance with the pre-Official Gazette waiver of 37 CFR 1.98 (a)(2)(i) posted at pac/dapp/opla/preognitice/idswouscopies.htm, copies of cited U.S. patents and publications are not enclosed. Copies of cited foreign patent documents and non-patent literature are enclosed in accordance with 37 CFR §1.98(a)(2), as still required.
- If any of the cited/submitted documents is in a foreign language, a concise explanation of relevance is provided pursuant to 37 CFR §1.98(a)(3)(i). For foreign language documents cited in a search report by a foreign patent office, the requirement for a concise explanation of relevance is satisfied by the submission herewith of an English language version of the search report. MPEP §609A(3). If a written English-language translation of a non-English language document, or portion thereof, is within the possession, custody or control of, or is readily available to any individual designated in §1.56(c), a copy of the translation accompanies this statement, 37 CFR §1.98(a)(3)(ii), and satisfies the requirement for a concise explanation of relevance, MPEP §609A(3).

11/22/2006 MBELETE1 00000062 10716333

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— **PTA Statement under 37 C.F.R. §1.704(d).** Each item of information contained in the *Information Disclosure Statement* was cited in a communication from a foreign patent office in a counterpart application and this communication was not received by any individual designated in §1.56(c) more than thirty days prior to the filing of the *Information Disclosure Statement*.

This statement should be considered because:

37 C.F.R. §1.97(c). Although it may not qualify under subsection (b), this statement qualifies under 37 C.F.R. §1.97, subsection (c) because:

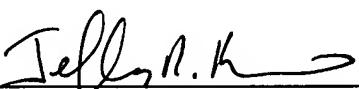
(1) It is being filed before the mailing date of a FINAL Office Action, a Notice of Allowance, or an action that otherwise closes prosecution in the subject application, whichever occurs first.
— *-- AND (check at least one of the following) --*
— (1) It is accompanied by a STATEMENT as set forth in 37 C.F.R. §1.97(e).
— *-- OR --*
 (2) It is accompanied by the \$180 fee set forth in 37 C.F.R. §1.17(p).

Fee Authorization. The Commissioner is hereby authorized to charge any deficiencies or credit any overpayment to Deposit Account No. 06-1325. A duplicate copy of this authorization is enclosed.

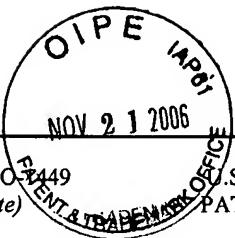
Respectfully submitted,

Date: November 17, 2006

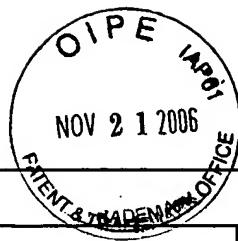
By: _____


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Form PTO 1449 (Substitute)		U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE		Attorney Docket Number WORLD-01004US3	Serial/Patent Number 10/716,333		
<i>Information Disclosure Statement BY APPLICANT (Use several sheets if necessary)</i>		Applicant/Patent Owner Terwilliger and Lamoureux					
		Filing/Issue Date November 18, 2003		Group Art Unit 3735			
U.S. PATENTS							
Examiner Initial		Patent Number	Issue Date	First Named Inventor	Class	Subclass	Filing Date
		2,575,138	11/13/51	Slaughter			
		3,752,630	08/14/73	Takagi			
		3,936,414	02/03/76	Wright et al.			
		4,702,228	10/27/87	Russell et al.			
		4,754,745	07/05/88	Horowitz			
		4,815,449	03/28/89	Horowitz			
		4,891,165	01/02/90	Suthanthiran			
		4,946,435	08/07/90	Suthanthiran et al.			
		5,022,940	06/11/91	Mehoudar			
		6,010,446	01/04/00	Grimm			
		6,099,457	08/08/00	Good, Roger			
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		6,438,401 B1	08/20/02	Cheng et al.			

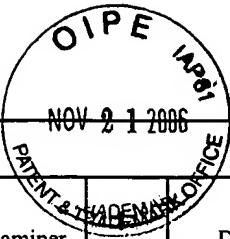


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		6,450,939 B1	09/17/02	Grimm			
		6,474,535 B1	11/05/02	Shanks et al.			
		6,497,646 B1	12/24/02	Candelaria et al.			
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		6,549,802 B2	04/15/03	Thornton			
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		6,575,888 B2	06/10/03	Zamora et al.			
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		6,820,318 B2	11/23/04	Terwilliger et al.			

U.S. PATENT PUBLICATIONS

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		US2003/0084988 A1	05/08/03	Terwilliger et al.
		US2003/0092958 A1	05/15/03	Terwilliger et al.
		US2004/0158117 A1	08/12/04	Drobnik et al.
		US2004/0158118 A1	08/12/04	Drobnik et al.



FOREIGN PATENT DOCUMENTS

Examiner Initial	Document Number	Publication Date	Country	Class	Subclass	<u>Abstract</u> Yes No
	EP 0 466 681 B1	01/15/92	Europe	A61N	5/10	X
	EP 0 030 822 B1	09/14/83	Europe	A61L	17/00	X
	WO 00/64538	02/11/00	WIPO	A61N	5/10	
	WO 00/61229	10/19/00	WIPO	A61N	5/10	

OTHER DOCUMENTS (Include author (if any), title, publisher and place of publication, date and pertinent pages)

	Webster's II New Riverside University Dictionary, page 191, 1984.
	Medi-Physics brochure entitled "I-125 Seeds. No. 6711, Medi-Physics, Inc. Arlington Heights IL 60004, USA; Revised. October 1999, 2 pages.
	Medi-Physics brochure entitled "I-125 Seeds. No. 7000; Medi-Physics, Inc. Arlington Heights IL 60004, USA; Revised. October 1999, 2 pages.
	Amersham Health; "EchoSeed™"; http://www.amershamhealth-us.com/echoseed/ printed 11/19/2003.
	Amersham Health; "Rapid Strand Indications" Http://www.amershamhealth-us.com/products/index.htm?a=i&i=38 ; printed 11/19/2003.
	Amersham Health; "OncoSeed Indications"; http://www.amershamhealth-us.com/oncoseed/ ; printed 11/19/2003.

Examiner	Date Considered

*EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

*1 = Copy not submitted because it was submitted in prior application SN / , filed , 20 , relied on under 35 USC §120.

*2 = Copy not submitted because it was submitted in prior application SN / , filed , 20 , relied on under 35 USC §120.